



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

**DAVID C. CHALLENGER, ET AL.**

Serial No. **09/262,123**

Filed: **March 3, 1999**

For: **DATA PROCESSING SYSTEM  
AND METHOD FOR MAINTAINING  
SECURE USER PRIVATE KEYS IN  
NON-SECURE STORAGE**

Attorney Docket No. **RP9-98-089**

Examiner: **Unknown**

Art Unit: **2766**

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**STATEMENT BY INVENTOR SCOTT THOMAS ELLIOTT**  
**UNDER 37 C.F.R. § 1.48(a)(1)**

Assistant Commissioner for Patents  
Washington, D. C. 20231

My name is Scott Thomas Elliott. I am one of the inventors of the above-identified invention, for which an application for Letters Patent was filed on March 3, 1999. I was erroneously omitted as an inventor in the Declaration and Power of Attorney that was filed with the application on March 3, 1999. This error in inventorship occurred without any deceptive intention on my part as an inventor.

Signed at RTP, NC on June 14, 2001.

  
\_\_\_\_\_  
Scott Thomas Elliott



**DECLARATION FOR  
UTILITY OR DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

- ☐ Declaration submitted with initial filing  
☒ Declaration submitted after initial filing  
(surcharge required (37 CFR 1.16(e)))

Attorney Docket No. RP9-98-089

First Named Inventor Challener et al

Application Number 09/262,123

Filing Date March 3, 1999

Examiner Name Unknown

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As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DATA PROCESSING SYSTEM AND METHOD FOR MAINTAINING SECURE USER PRIVATE KEYS IN  
NON-SECURE STORAGE

the specification of which:

- ☐ is attached hereto, or
- ☒ was filed on (MM/DD/YYYY) March 3, 1999 as United States Application Number or PCT International Application Number 09/262,123 and was amended on (MM/DD/YYYY) \_\_\_\_\_ (if applicable) .

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute the application identified above and to transact all business in the United States Patent and Trademark Office connected therewith.

John D. Flynn, Reg. No. 35,137;  
George E. Grosser, Reg. No. 25,629;  
John E. Hoel, Reg. No. 26,279;  
Daniel E. McConnell, Reg. No. 20,360;  
Martin J. McKinley, Reg. No. 31,782;  
Christopher A. Hughes, Reg. No. 26,914;  
Joseph C. Redmond, Jr., Reg. No. 18,753;  
John Bruce Schelkopf, Reg. No. 43,901;

Andrew J. Dillon, Reg. No. 29,634;  
Brian F. Russell, Reg. No. 40,796;  
Matthew W. Baca, Reg. No. 42,277;  
Antony P. Ng, Reg. No. 43,427;  
Richard N. McCain, Reg. No. 43,785;  
Michael E. Noe, Jr., Reg. No. 44,975.

Direct all correspondence to:

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Customer No. 28722

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])     DAVID CARROLL		Family Name or Surname     CHALLENGER	
Inventor's Signature: <i>David Carroll Challenger</i>		Date: <i>June 14, 2001</i>	
Residence: City     RALEIGH	State NC	Country US	Citizenship US
Mailing Address: 713 HUNTING RIDGE ROAD			
City: RALEIGH	State: NC	ZIP: 27615	Country: US

<b>NAME SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])     DARYL CARVIS		Family Name or Surname     CROMER	
Inventor's Signature: <i>Daryl Carvis</i>		Date: <i>June 21, 2001</i>	
Residence: City     APEX	State NC	Country 27502	Citizenship US
Mailing Address: 206 HALEY HOUSE LANE			
City: APEX	State: NC	ZIP: 27502	Country: US

<b>NAME OF THIRD INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])     MARK CHARLES		Family Name or Surname     DAVIS	
Inventor's Signature: <i>Mark Charles Davis</i>		Date: <i>June 13, 2001</i>	
Residence: City     DURHAM	State NC	Country US	Citizenship US
Mailing Address: 201 SPRING GARDEN DRIVE			
City: DURHAM	State: NC	ZIP: 27713	Country: US

<b>NAME OF FOURTH INVENTOR:</b>		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) SCOTT THOMAS		Family Name or Surname ELLIOTT	
Inventor's Signature: <i>Scott Thomas Elliott</i>		Date: 6/13/2001	
Residence: City RALEIGH	State NC	Country US	Citizenship US
Mailing Address: 4541 FOX ROAD			
City: RALEIGH	State: NC	ZIP: 27616	Country: US

<b>NAME OF FIFTH INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) HOWARD JEFFREY		Family Name or Surname LOCKER	
Inventor's Signature: <i>Howard Jeffrey Locker</i>		Date: 6/13/01	
Residence: City CARY	State NC	Country US	Citizenship US
Mailing Address: 404 HOGANS VALLEY WAY			
City: CARY	State: NC	ZIP: 27513	Country: US

<b>NAME OF SIXTH INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) ANDY LLOYD		Family Name or Surname TROTTER	
Inventor's Signature: <i>Andy Lloyd Trotter</i>		Date: 06/14/01	
Residence: City RALEIGH	State NC	Country US	Citizenship US
Mailing Address: 8203-107 GREEN LANTERN STREET			
City: RALEIGH	State: NC	ZIP: 27613	Country: US

<b>NAME OF SEVENTH INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) JAMES PETER		Family Name or Surname WARD	
Inventor's Signature: <i>James Peter Ward</i>		Date: 6/13/01	
Residence: City RALEIGH	State NC	Country US	Citizenship US
Mailing Address: 107 HEMINGWAY FOREST PLACE			
City: RALEIGH	State: NC	ZIP: 27607	Country: US



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**David C. Challener et al.**Serial No. **09/262,123**Filed: **March 3, 1999**

For: **Data Processing System and  
Method for Maintaining Secure User  
Private Keys in Non-Secure Storage**

Attorney Docket No. **RP9-98-089**Examiner: **Unknown**Art Unit: **2766**

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**ASSENT OF ASSIGNEE TO ADD INVENTOR  
UNDER 37 C.F.R. § 1.48(a)(4)**

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

1. The Assignee of the above-identified patent application is:

**International Business Machines Corporation  
New Orchard Road  
Armonk, New York 10504**

2. The initial assignment document was recorded on March 3, 1999, at Reel 9810, Frame 0866.
3. The Assignee hereby assents to the correction of inventorship filed herewith.
4. A new assignment document with Assignment Recordation Cover Sheet is attached hereto.
5. A Statement Under 37 C.F.R. § 3.73(b) is attached hereto.

August 7, 2001  
Date

David C. Challener  
Signature

David C. Challener  
(Typed or printed name and title of person  
authorized to sign on behalf of assignee)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: DAVID C. CHALLENGER ET AL.

Application No./Patent No.: 09/262,123

Filed/Issue Date: March 3, 1999

Entitled: Data Processing System and Method for Maintaining Secure User Private Keys in Non-Secure Storage

International Business Machines Corporation a Corporation of the State of New York

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Aug 7, 2001  
Date

David C. Challenger

Typed or printed name

David C. Challenger  
Signature

Inventor

Title